

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 139 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 6-1.1-6.2-3 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 3. A parcel of land may
- 5 be classified as a windbreak if:
- 6 (1) it abuts a fence line or a property line;
- 7 (2) it abuts arable land;
- 8 (3) the landowner enters into an agreement with the department
- 9 of natural resources establishing standards of windbreak
- 10 management for the parcel of land as that concept is understood
- 11 by competent professional foresters;
- 12 (4) it is at least fifty (50) feet wide;
- 13 (5) it does not contain a dwelling or other usable building; and
- 14 (6) no part of it lies within a **licensed hunting preserve or** a
- 15 licensed shooting preserve.
- 16 SECTION 2. IC 6-1.1-6.5-2 IS AMENDED TO READ AS
- 17 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. (a) A parcel of land
- 18 may be classified as a wildlife habitat if:
- 19 (1) it contains a good stand of vegetation that is capable of
- 20 supporting wildlife species;
- 21 (2) it is conducive to wildlife management;
- 22 (3) the landowner enters into an agreement with the department
- 23 of natural resources establishing standards of wildlife
- 24 management for the parcel of land as that concept is understood
- 25 by competent wildlife biologists;
- 26 (4) it contains at least fifteen (15) acres;
- 27 (5) it contains less than ten (10) acres of woodland;

- (6) it does not contain a dwelling or other usable building; and
(7) no part of it lies within a **licensed hunting preserve or a licensed shooting preserve**.
- (b) A parcel of land may be classified as riparian land if:
- (1) the land is stream bed or vegetated land adjacent to a stream bed, not extending more than one hundred (100) feet landward from the line of nonaquatic vegetation;
 - (2) the land is conducive to riparian management for the purposes of fish and wildlife restoration or enhancement, erosion control, increased bank stability, improved water quality, or increased stream storage capacity;
 - (3) the land does not contain a dwelling or other usable building; and
 - (4) the landowner enters into an agreement with the department of natural resources establishing standards of management for the classified riparian land.

SECTION 3. IC 6-1.1-6.7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 3. (a) A parcel of land may be classified as a filter strip if the parcel of land meets all of the following requirements:

- (1) The parcel of land is adjacent to an:
 - (A) open water course such as a ditch, creek, or river; or
 - (B) open body of water such as a wetland or lake.
- (2) The parcel of land is at least twenty (20) feet wide but not more than seventy-five (75) feet wide.
- (3) The parcel of land does not contain a dwelling or other usable building.
- (4) The parcel of land is not used for livestock grazing.
- (5) No part of the parcel of land lies within a **licensed hunting preserve or a licensed shooting preserve**.
- (6) The landowner enters into an agreement with the:
 - (A) drainage board of jurisdiction along regulated drains; and
 - (B) county surveyor along nonregulated drains;with concurrence of the local soil and water conservation district offices.

(b) A filter strip that exists on July 1, 1991, may qualify for classification if:

- (1) the parcel meets the requirements of subsection (a); and
- (2) the parcel is vegetated with a herbaceous vegetation that meets the seeding specifications of filter strips created after July 1, 1991, as determined by the county surveyor in concurrence with the local soil and water conservation district in which the parcel is located."

Page 2, after line 28 , begin a new paragraph and insert:

"SECTION 7. IC 14-22-30.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

Chapter 30.5. Hunting Preserves

Sec. 1. A person who:

- (1) owns;

1 (2) holds; or
2 (3) controls by lease for a term of not less than four (4) years;
3 a tract of land that meets the requirements of section 2 of this
4 chapter may apply to the division for a license to establish a
5 hunting preserve.

6 Sec. 2. A hunting preserve must meet the following
7 requirements:

- 8 (1) Be on a contiguous tract of land.
9 (2) Contain an area of not less than four hundred (400) acres.
10 (3) Not contain a public highway.
11 (4) Contain a boundary fence that:
12 (A) is at least seven (7) feet high; and
13 (B) is designed to prevent the escape of white-tailed
14 deer.

15 Sec. 3. An application for a license under section 1 of this
16 chapter must be accompanied by a fee of one thousand dollars
17 (\$1,000).

18 Sec. 4. Upon receipt of an application, the department shall do
19 the following:

- 20 (1) Inspect the proposed hunting preserve, including the
21 following:
22 (A) The facilities for propagating white-tailed deer.
23 (B) The cover.
24 (C) The fences.
25 (D) The capability of the applicant to maintain a hunting
26 preserve.
27 (2) If found feasible, approve the application and issue a
28 license to the applicant.

29 Sec. 5. A license issued under this chapter expires July 1 of
30 each year.

31 Sec. 6. Upon receipt of a license, the licensee shall post the
32 licensed area at intervals of not more than four hundred (400) feet
33 with signs as prescribed by rule.

34 Sec. 7. A person who is issued a license under section 4 of this
35 chapter may propagate and offer for hunting white-tailed deer that
36 are captive reared and released. However, a licensee shall affix a
37 tag that identifies the licensee's hunting preserve to the body of
38 each captive reared white-tailed deer that is released on the
39 licensee's hunting preserve.

40 Sec. 8. (a) A resident or nonresident person who wishes to take
41 a white-tailed deer on a hunting preserve:

- 42 (1) must hold a license issued under this article to take a
43 deer; and
44 (2) may take a deer on a hunting preserve only with the
45 weapon that the person's license allows the person to use to
46 take a deer.

47 (b) In addition to the license to take a deer required by
48 subsection (a), a person who is a nonresident of Indiana must
49 possess a special license to hunt on a licensed hunting preserve.

50 (c) The department:

(1) shall issue special licenses to hunt on a licensed hunting preserve; and

(2) may appoint owners or managers of hunting preserves as agents to sell special licenses.

(d) A special license expires December 31 of the year issued.

(e) The fee for a special license is twenty-five dollars (\$25). All fees shall be deposited in the fish and wildlife fund established by IC 14-22-3-2.

Sec. 9. A person may take white-tailed deer from a hunting preserve only during September, October, November, December, January, February, March, or April.

Sec. 10. (a) A bill of sale must accompany each white-tailed deer that is removed from a hunting preserve.

(b) The licensee of a hunting preserve shall:

(1) issue a bill of sale designating the white-tailed deer lawfully taken upon the hunting preserve; and

(2) retain a copy of all bills of sale issued to persons removing white-tailed deer from the hunting preserve.

(c) A bill of sale is subject to inspection by the fish and wildlife division at any time.

Sec. 11. (a) The licensee of a hunting preserve must keep a daily register to show the following:

(1) The number of white-tailed deer released and taken from the hunting preserve each day.

(2) The number of persons participating in hunting on the hunting preserve each day.

(b) The licensee of a hunting preserve must do the following:

(1) Make an annual computation of the record described in subsection (a);

(2) send the annual computation to the department on May 10 each year; and

(3) file a statement under oath as to the annual number of white-tailed deer released and taken from the hunting preserve.

(c) Failure of the licensee of a hunting preserve to keep and forward the required records to the department is sufficient cause for:

(1) revocation of the license for the hunting preserve; or

(2) refusal to issue a license for the following year.

Sec. 12. (a) The licensee of a hunting preserve may not falsify a report that must be kept under this chapter.

(b) A license may not be issued to a licensee who is convicted of violating subsection (a).

Sec. 13. (a) The licensee of a hunting preserve must make the following available to the department for inspection:

(1) The daily records.

(2) The pens and fences.

(3) The white-tailed deer.

(4) The hunting preserve.

(b) An inspection of a hunting preserve shall be conducted

1 under this chapter and rules adopted under IC 14-22-2-6. The
2 department shall consult with the state veterinarian if the
3 inspection reveals a potential animal health threat that contravenes
4 programs for the prevention, control, or eradication of diseases in
5 domestic animals.

6 Sec. 14. (a) A licensee may not import or keep carnivores.

7 (b) The license of a licensee who is convicted of violating
8 subsection (a) shall be revoked."

9 Renumber all SECTIONS consecutively.

(Reference is to ESB 139 as printed February 17, 2000.)

Representative FRIEND